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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO;
AMERICAN FEDERATION OF STATE
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO, et al.,

Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONNEL
MANAGEMENT, et al.,

Defendants.

Case No. 3:25-cv-01780-WHA

**SUPPLEMENTAL DECLARATION OF
KORY BLAKE**

DECLARATION OF KORY BLAKE

I, Kory Blake, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am the Area Field Services Director (“AFSD”) for the Eastern Region in the Organizing and Field Services department of the American Federation of State, County and Municipal Employees, AFL-CIO (“AFSCME”). This declaration is provided as a supplement to my declarations of February 22 and 26, 2025 (Dkt. 18-6, 39-6).

3. Since first hearing about the mass terminations of federal probationary employees, AFSCME has received follow-up communications from members who have been terminated. These members have shared their stories with the Union about their experiences during this difficult time and harms caused to their lives by the terminations.

4. Members who were terminated as probationary employees have also shared communications from their agencies concerning their employment after they were terminated.

5. Some affected probationary employees working at the U.S. Department of Agriculture (USDA) shared with AFSCME that they have recently received email communications concerning their potential reinstatement, in response to the Merit Systems Protection Board’s March 5, 2025 order that probationary employees of the USDA be temporarily reinstated for 45 days.

6. For example, an AFSCME member who was terminated as a probationary employee with the USDA shared with AFSCME that on March 7, 2025, they received an automated email communication from “usasactivitysummary@usastaffing.gov” providing a summary of “USA Staffing onboarding tasks.” The tasks included a completion date of March 12, 2025. This email gave the terminated probationary employee hope that they would be reinstated soon. However, the affected employee was not able to access or complete the tasks nor were they given any guidance from the USDA on whether this meant that the member would be reinstated. A true and correct copy of that Supplemental Declaration of Kory Blake, No. 3:25-cv-01780-WHA

1 email communication is attached hereto as Exhibit A. The member's personal information has been
2 redacted from the exhibit due to their concerns about retaliation.

3 7. On March 11, 2025, an AFSCME member who was terminated as a probationary
4 employee with the USDA shared with AFSCME an email communication between the employee and
5 the USDA's Director Strategic Staffing, Recruitment and Classification. The email states that "The
6 U.S. Department of Agriculture is aware of the decision of the Merit Systems Protection Board. The
7 Department is reviewing the decision and determining next steps. FAS's Human Capital Management
8 staff will reach out once those steps are determined." A true and correct copy of that email
9 communication is attached hereto as Exhibit B. The member's personal information has been redacted
10 from the exhibit due to their concerns about retaliation.
11

12 8. As of the writing of this declaration, no AFSCME members who were terminated as
13 probationary employees have been reinstated to their positions at the USDA.
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15
16 I declare under penalty of perjury under the laws of the United States that the foregoing is true
17 and correct. Executed this 11th day of March 2025 in Washington, DC.
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19 
20 _____
21 Kory Blake
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Exhibit A



----- Forwarded message -----

From: **USA Staffing Activity Summary** <usasactivitysummary@usastaffing.gov>

Date: Fri, Mar 7, 2025 at 00:07

Subject: Onboard Activity Summary as of Friday, March 7, 2025

To: [REDACTED]

Hello [REDACTED],

Here's a summary of your USA Staffing onboarding tasks as of Friday, 3/7/2025!

[REDACTED]
US Department of Agriculture

[Login with USAJOBS](#)

Upcoming Tasks

Incomplete tasks

Task	Action Required	Due
Complete SF-1152 (Unpaid Compensation for Deceased Employee)	Review Form	3/12/2025
Complete SF-2808 (Designation of Beneficiary of Civil Service Retirement System)	Review Form	3/12/2025
Complete SF-2817 (Life Insurance Benefit Election)	Review Form	3/12/2025

Task	Action Required	Due
Complete SF-2823 (Designation of Beneficiary for Life Insurance)	Review Form	3/12/2025
Upload documents to support a family members eligibility for Federal Employee Health Benefits (FEHB)	Document Upload	3/12/2025

Note: This is an automated email message. Please do not reply. To unsubscribe from the activity summary subscription, contact your Human Resources Office at the US Department of Agriculture

USA Staffing® System

Exhibit B



----- Forwarded message -----

From: **Lewis-Barnes, Sandra - TFAA-FAS, NJ** [REDACTED]

Date: Tue, Mar 11, 2025 at 12:54

Subject: RE: [External Email] [REDACTED]

To: [REDACTED]

CC: Lewis-Barnes, Sandra - TFAA-FAS, NJ [REDACTED]

Hello,

The U.S. Department of Agriculture is aware of the decision of the Merit Systems Protection Board. The Department is reviewing the decision and determining next steps. FAS's Human Capital Management staff will reach out once those steps are determined.

Sandra Lewis-Barnes

Director Strategic Staffing, Recruitment and Classification

Business Operations | Mission Support | Human Capital Management Division



U.S. DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

From: [REDACTED]
Sent: Tuesday, March 11, 2025 7:39 AM

To: Herrera, Sergio - TFAA-FAS, NM <[REDACTED]>; Wallace, Eugene - TFAA-FAS, DC [REDACTED]
Bilek, Earl - TFAA-FAS, MN [REDACTED] Niemi, Stephanie - TFAA-FAS, MN [REDACTED]

Subject: [External Email] [REDACTED]

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;

Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Good morning HCM/Staffing Team,

My name is [REDACTED], one of the probationary employees who was reinstated. I was recommended to reach out to the staffing/HR personnel by my supervisor regarding the re-onboarding process. I received the USA Staffing notification to complete the documents by the 12th. I would like to know what the process is to onboard again.

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.